

MIAMI BEACH

PLANNING DEPARTMENT

Staff Report & Recommendation

PLANNING BOARD

TO: Chairperson and Members
Planning Board

DATE: May 6, 2025

FROM: Thomas R. Mooney, AICP
Planning Director

DS
MB

For TRM

SUBJECT: **PB25-0762. Historic Preservation – Ad Hoc Committee – LDR Amendment**

RECOMMENDATION

Transmit the proposed ordinance amendment to the Mayor and City Commission (City Commission) with a favorable recommendation.

HISTORY

On January 31, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion (C4 H) regarding the establishment of an Ad Hoc Committee to the Land Use and Sustainability Committee (LUSC). On February 26, 2024, the LUSC discussed this proposal and recommended that the City Commission establish an Ad Hoc Committee for the purpose of reviewing current historic preservation regulations and making recommendations to the Mayor and City Commission.

On March 13, 2024, the Mayor and City Commission adopted Resolution No. 2024-32964 (and as subsequently amended by Resolution No. 2024-33193), creating the Ad Hoc Historic Preservation Ordinance Review Advisory Committee (Ad Hoc Committee). On December 11, 2024, at the request of Commissioner Alex Fernandez, the City Commission referred a discussion to review the final report and recommendations of the Ad Hoc Committee (C4 F) to the LUSC.

On March 11, 2025, the LUSC recommended that the proposed draft ordinance be referred to the Planning Board. On April 23, 2025, the City Commission referred the draft ordinance to the Planning Board (C4 I).

REVIEW CRITERIA

Pursuant to Section 2.4.2 of the Resiliency Code, in reviewing a request for an amendment to these land development regulations (LDRs), the board shall consider the following when applicable:

1. **Whether the proposed change is consistent and compatible with the comprehensive plan and any applicable neighborhood or redevelopment plans.**

Consistent – The proposed LDR amendment is consistent with the goals, objectives, and policies of the Comprehensive Plan, as proposed to be amended.

2. **Whether the proposed change would create an isolated district unrelated to adjacent or nearby districts.**

Consistent – The proposed amendment does not create isolated districts.

3. Whether the change suggested is out of scale with the needs of the neighborhood or the city.

Consistent - The proposed ordinance amendment does allow for an increase in the scale of development.

4. Whether the proposed change would tax the existing load on public facilities and infrastructure.

Consistent – The proposed amendment will not tax the existing load on public facilities and infrastructure.

5. Whether existing district boundaries are illogically drawn in relation to existing conditions on the property proposed for change.

Not Applicable

6. Whether changed or changing conditions make the passage of the proposed change necessary.

Consistent – The desire to incentivize the renovation of historic buildings makes passage of the proposed change necessary

7. Whether the proposed change will adversely influence living conditions in the neighborhood.

Consistent – The proposed ordinance amendment will not adversely affect living conditions.

8. Whether the proposed change will create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

Consistent – The proposed change will not create or excessively increase traffic congestion beyond the levels of service as set forth in the comprehensive plan or otherwise affect public safety.

9. Whether the proposed change will seriously reduce light and air to adjacent areas.

Consistent – The proposed change will not reduce light and air to adjacent areas.

10. Whether the proposed change will adversely affect property values in the adjacent area.

Consistent – The proposed change should not adversely affect property values in the adjacent areas.

11. Whether the proposed change will be a deterrent to the improvement or development of adjacent property in accordance with existing regulations.

Consistent – The proposed change will not be a deterrent to the improvement or development of properties in the City.

- 12. Whether there are substantial reasons why the property cannot be used in accordance with existing zoning.**

Not Applicable

- 13. Whether it is impossible to find other adequate sites in the city for the proposed use in a district already permitting such use.**

Not Applicable

COMPLIANCE WITH SEA LEVEL RISE AND RESILIENCY REVIEW CRITERIA

Section 7.1.2.4 of the LDRs establishes the following review criteria when considering ordinances, adopting resolutions, or making recommendations:

- (1) Whether the proposal affects an area that is vulnerable to the impacts of sea level rise, pursuant to adopted projections.**

Partially Consistent – The proposal does affect areas that are vulnerable to the impacts of sea level rise in the long term.

- (2) Whether the proposal will increase the resiliency of the City with respect to sea level rise.**

Not Applicable

- (3) Whether the proposal is compatible with the City's sea level rise mitigation and resiliency efforts.**

Consistent – The proposal is compatible with the City's sea level rise mitigation and resiliency efforts.

ANALYSIS

The Ad Hoc Committee was tasked with a comprehensive review of the City's historic preservation regulations including the possible expansion of the certificate of appropriateness (COA) review criteria, as well as providing recommendations to improve and/or streamline the review process for projects located in historic districts or on individual historic sites. The Ad Hoc Committee held five (5) public meetings between June 27, 2024 and October 15, 2024 and considered extensive comments and input from City staff. All meetings were noticed on the City's website and the meetings were in the evening, commencing at 5:00 p.m., to allow interested parties to attend or participate without interfering with regular work hours.

The attached draft ordinance reflects the recommendations of the Ad Hoc Committee. The attached Final Report of the Ad Hoc Committee, which was unanimously approved by the Committee at its regular meeting on October 15, 2024, includes the Committee's specific recommendations to the Mayor and City Commission (Part B of the Report) concerning proposed amendments to the City's Historic Preservation Ordinance and processes.

RECOMMENDATION

In view of the foregoing analysis, staff recommends that the Planning Board transmit the proposed ordinance to the City Commission with a favorable recommendation.

Historic Preservation – Ad Hoc Committee Recommendations

AN ORDINANCE OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, AMENDING THE MIAMI BEACH RESILIENCY CODE, BY AMENDING CHAPTER 2, ENTITLED “ADMINISTRATION AND REVIEW PROCEDURES,” ARTICLE XIII, ENTITLED “HISTORIC PRESERVATION,” BY AMENDING SECTION 2.13.2, ENTITLED “HISTORIC PRESEVATION REVIEW OF PROJECTS,” TO REMOVE THE SUPPLEMENTAL NOTICE REQUIREMENT FOR APPLICATIONS CONTINUED BY THE HISTORIC PRESERVATION BOARD, BY AMENDING SECTION 2.13.7, ENTITLED “ISSUANCE OF CERTIFICATE OF APPROPRIATENESS/CERTIFICATE TO DIG/CERTIFICATE OF APPROPRIATENESS FOR DEMOLITION,” TO INCREASE THE SQUARE FOOTAGE THRESHOLD FOR THE TRANSPORTATION ANALYSIS AND MITIGATION PLAN REQUIREMENT, TO CLARIFY THE TWO-STEP REVIEW PROCESS, AND TO CONSOLIDATE AND OTHERWISE AMEND THE APPLICABLE REVIEW CRITERIA, BY AMENDING SECTION 2.13.8, ENTITLED “SPECIAL REVIEW PROCEDURE,” TO EXPAND ADMINISTRATIVE REVIEW AUTHORITY FOR THE REVIEW OF ADDITIONS TO SINGLE-FAMILY HOMES LOCATED WITHIN LOCAL HISTORIC DISTRICTS, BY AMENDING SECTION 2.13.9, ENTITLED “HISTORIC DESIGNATION” TO INTRODUCE PROCEDURES FOR THE REPEAL OF HISTORIC DESIGNATIONS AS REQUIRED PURSUANT TO MIAMI-DADE COUNTY CODE SECTION 16A-3.1, AND BY AMENDING SECTION 2.13.10, ENTITLED “SINGLE-FAMILY AD VALOREM TAX EXEMPTION,” TO EXPAND THE TYPES OF PROPERTIES THAT QUALIFY FOR THE EXEMPTION IN A MANNER CONSISTENT WITH SECTION 196.1997, FLORIDA STATUTES; BY AMENDING CHAPTER 7, ENTITLED “ZONING DISTRICTS AND REGULATIONS,” BY AMENDING ARTICLE II, ENTITLED “DISTRICT REGULATIONS,” SECTION 7.2.2, ENTITLED “RS-1, RS-2, RS-3, RS-4 SINGLE-FAMILY RESIDENTIAL DISTRICTS,” SUBSECTION 7.2.2.4, ENTITLED “ADDITIONAL REGULATIONS (RS),” BY EXPANDING THE APPLICABILITY OF ZONING INCENTIVES TO INCLUDE CONTRIBUTING SINGLE-FAMILY HOMES LOCATED WITHIN LOCAL HISTORIC DISTRICTS; BY AMENDING ARTICLE V, ENTITLED “SUPPLEMENTARY DISTRICT REGULATIONS,” SECTION 7.5.1, ENTITLED “GENERALLY (SUPPLEMENTARY DISTRICT REGULATIONS),” SUBSECTION 7.5.1.5, ENTITLED “ROOF REPLACEMENTS AND NEW ROOFS,” TO EXPAND ADMINISTRATIVE REVIEW AUTHORITY FOR SUSTAINABLE ROOFS; AND PROVIDING FOR CODIFICATION, REPEALER, SEVERABILITY, AND AN EFFECTIVE DATE.

WHEREAS, ; and

WHEREAS,; and

WHEREAS,.

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA.

SECTION 1. Chapter 2, entitled “Administration and Review Procedures,” Article XIII, entitled “Historic

Preservation,” is hereby amended as follows:

CHAPTER 2. ADMINISTRATION AND REVIEW PROCEDURES

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ARTICLE XIII. Historic Preservation

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2.13.2 Historic Preservation Board Review of Projects

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b. Proceedings before the historic preservation board.

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2. Issuance of order. After the board has heard all evidence regarding a request, it shall issue a written order setting forth its decision and the findings of fact upon which the decision is based. A copy of the board's order shall be promptly mailed to the applicant.

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c. Deferrals and continuances

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- II. The board may continue an application to a date certain at either the request of the applicant or at its own discretion. ~~In the event the application is so continued, not less than 15 days prior to the new public hearing date, a description of the request, and the time and place of such hearing shall be advertised in a newspaper of general circulation within the municipality at the expense of the city.~~

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2.13.7 Issuance of Certificate of Appropriateness/Certificate to Dig/Certificate of Appropriateness for Demolition

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b. Application

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2. All applications for historic preservation board review involving demolition, new building construction, alteration, rehabilitation, renovation, restoration or any other physical modification of any building, structure, improvement, landscape feature, public interior or site individually designated in accordance with section 2.13.9, or located within an historic district shall be on a form provided by the planning department and shall include such information and attached exhibits as the board and the planning department determine are needed to

allow for complete evaluation of the proposed demolition, construction and other physical improvements, alterations or modifications including, but not limited to, the following:

* * *

I. Commercial, multi-family, and mixed-use developments over ~~5,000~~ 50,000 new gross square feet and ~~multifamily projects with more than four new units or 15,000 new gross square feet~~ shall submit a transportation analysis and mitigation plan, prepared by a professional traffic engineer, licensed and registered in the State of Florida. The analysis and plan shall at a minimum provide the following:

- I. Details on the impact of projected traffic on the adjacent corridors, intersections, and areas to be determined by the city.
- II. Strategies to mitigate the impact of the proposed development on the adjacent transportation network, to the maximum extent feasible, in a manner consistent with the adopted transportation master plan and adopted mode share goals.
- III. Whenever possible, driveways shall be minimized and use common access points to reduce potential turn movements and conflict points with pedestrians.
- IV. Applicable treatments may include, without limitation, transportation demand management strategies included in the transportation element of the comprehensive plan.

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c. Review procedure

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4. Notwithstanding subsections 2.13.7(c)(1) through (3) above, all applications for certificates of appropriateness involving minor repairs, demolition, alterations and improvements (as defined below and by additional design guidelines to be adopted by the board in consultation with the planning director) shall be reviewed by the staff of the board in accordance with the certificate of appropriateness criteria. The staff shall approve, approve with conditions, or deny a certificate of appropriateness or a certificate to dig after the date of receipt of a completed application. For purposes of this paragraph, the application requirement of certificate of appropriateness review shall be satisfied by the submission of a corresponding building permit application, or such other permit application form required by the planning department. Such minor repairs, alterations and improvements include the following:

- A. Ground level additions to existing structures, not to exceed two stories in height, which are not substantially visible from the public right-of-way (excluding rear alleys), any waterfront or public parks, provided such ground level additions do not require the demolition or alteration of architecturally significant portions of a building or structure. For those lots under 5,000 square feet, the floor area of the proposed addition may not exceed 30 percent of the floor area of the existing structure or primary lot, whichever is less, with a maximum total floor area not to exceed 1,500 square feet. For those lots between 5,000 square feet and 10,000 square feet, the floor area of the proposed addition may not exceed 20 percent of

the floor area of the existing structure or primary lot, whichever is less, with a maximum total floor area not to exceed 2,000 square feet. For those lots greater than 10,000 square feet, the floor area of the proposed addition may not exceed 10 percent of the floor area of the existing structure or primary lot, whichever is less, with a maximum total floor area not to exceed 5,000 square feet.

- B. Replacement of windows, doors, storefront frames and windows, or the approval of awnings, canopies, exterior surface colors, storm shutters and signs.
- C. Facade and building restorations, recommended by staff, which are consistent with historic documentation, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.
- D. Minor demolition and alterations to address accessibility, life safety, mechanical and other applicable code requirements, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.
- E. Minor demolition and alterations to rear and secondary facades to accommodate utilities, refuse disposal and storage, provided the degree of demolition proposed is not substantial or significant and does not require the demolition or alteration of architecturally significant portions of a building or structure.
- F. Accessory Dwelling Units (ADU) within single family zoning districts; provided the proposed ADU does not require the demolition or alteration of architecturally significant portions of a building or structure.
- G. Property walls, fences, and gates.
- H. Minor public interior modifications – minor work associated with the public interiors of buildings and those interior portions of commercial structures which front a street or sidewalk, provided the work does not require the demolition or alteration of architecturally significant portions of the public interior spaces.
- I. Minor work involving public improvements upon public rights-of-way and easements.
- J. Railing replacement that closely replicates the design in an alternate material.
- K. Railing replacement for non-contributing buildings consistent with railing replacement design guidelines.
- L. Demolition and reconstruction of architectural features, regardless of the visibility of from the street, provided staff has sufficient information to ensure an accurate reconstruction and the architectural feature is no more than 20% of the façade area. Architectural feature means building components attached to or part of a façade including projections intended to provide architectural character and façade articulation.

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7. ~~The historic preservation board may at its sole discretion, on an individual, case-by-case basis, allow a two-step process for approval of a certificate of appropriateness. The~~ An applicant may utilize a voluntary two-step process, which shall consist of, first, a binding, preliminary concept approval on the issues of urbanism, massing and siting; and second, approval of the project's design details (style, fenestration, materials, etc.). This two-step process shall be subject to the following:

A. ~~The historic preservation board shall have the sole discretion, on an individual, case-by-case basis, to decide which d-Development projects may qualify shall satisfy the below criteria to be eligible for this two-step approval process for a certificate of appropriateness, as determined by the Planning Director.~~

1. Properties that exceed one (1) acre in area (43,560 square feet) or development that exceeds 75,000 gross square feet.
2. Project includes partial or total demolition.

B. ~~In the event the historic preservation board should authorize the two-step approval process, the applicant shall have a maximum of 120 days from the date of preliminary concept approval on the issues of urbanism, massing and siting, to return to the board with fully developed design drawings and substantial details (style, fenestration, materials, etc.) for final approval, or the entire application shall become null and void. The applicant shall have six months from the date of preliminary concept approval on the issues of urbanism, massing and siting, to obtain final approval for the remainder of the project or the entire application shall become null and void. The board, at its sole discretion, may extend the time period to obtain final approval for the remainder of the project up to a maximum of one year from the date of the original submission of the application.~~

B. Step one. Preliminary concept approval on the issues of urbanism, massing and siting, which shall include the following minimum requirements in addition to the standard application and noticing requirements:

1. Fully dimensioned site plan with all setback information
2. Zoning legend
3. Massing studies
4. Context studies
5. Historic Resources Report
6. Preliminary restoration plan for any contributing building on the site
7. Demolition plans

The above plans, studies and models shall be to scale, and all shall be signed and sealed by an architect registered in the State of Florida.

Applications that include variances as part of step one may be required to provide additional information, as determined by the Planning Director.

C. Step two. The applicant shall have a maximum of 180 days from the date of preliminary concept approval on the issues of urbanism, massing and siting, to return to the board with fully developed design drawings and substantial details (style, fenestration, materials, etc.) including all other required plans and documents for final approval, or the entire

application shall become null and void. The board, at its sole discretion for good cause, may extend the time period to obtain final approval for the remainder of the project up to a maximum of one year from the date of the original submission of the application.

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d. Decisions on certificates of appropriateness

- i. Any applicant requesting a public hearing on any application pursuant to this section shall pay, upon submission, the applicable fees in subsection 2.2.3.5. No application shall be considered complete until all requested information has been submitted and all applicable fees paid.
- ii. A decision on an application for a certificate of appropriateness shall be based upon the following:
 1. Evaluation of the compatibility of the physical alteration or improvement with surrounding properties and where applicable compliance with the following:
 - a. The Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings as revised from time to time; and
 - b. The Secretary of Interior's Standards for Reconstruction as may be amended from time to time.
 - c. Other guidelines/policies/plans adopted or approved by resolution or ordinance by the city commission.

The Secretary of Interior's Guidelines for Rehabilitation are intended as an aid to assist in applying the Secretary of Interior's Standards but are not meant to give case-specific advice or address exceptions or unusual conditions.

2. In determining whether a particular application is compatible with surrounding properties the historic preservation board shall consider the following:

a. Exterior architectural features.

b. General design, scale, massing and arrangement.

c. Texture and material and color.

d. The relationship of subsections a., b., c., above, to other structures and features of the district.

e. The purpose for which the district was created.

f. The relationship of the size, design and siting of any new or reconstructed structure to the landscape of the district.

g. An historic resources report, containing all available data and historic documentation regarding the building, site or feature.

~~h. The original architectural design or any subsequent modifications that have acquired significance.~~

3.2. The examination of architectural drawings for consistency with the criteria stated below, with regard to the aesthetics, appearances, compatibility, safety, and function of any new or existing structure, public interior space and physical attributes of the project in relation to the site, adjacent structures and properties, and surrounding community. The historic preservation board and planning department shall review plans based upon the below stated criteria and recommendations of the planning department may include, but not be limited to, comments from the building department. The criteria referenced above are as follows:

- a. The location of all existing and proposed buildings, drives, parking spaces, walkways, means of ingress and egress, drainage facilities, utility services, landscaping structures, signs, and lighting and screening devices.
- b. The dimensions of all buildings, structures, setbacks, parking spaces, floor area ratio, height, lot coverage and any other information that may be reasonably necessary to determine compliance with the requirements of the underlying zoning district, and any applicable overlays, for a particular application or project.
- c. The color, design, surface finishes and selection of landscape materials and architectural elements of the exterior of all buildings and structures and primary public interior areas for developments requiring a building permit in areas of the city identified in section 2.13.1(c).
- d. The proposed structure, or additions to an existing structure are appropriate to and compatible with the environment and adjacent structures, and enhance the appearance of the surrounding properties, or the purposes for which the district was created.
- e. The design and layout of the proposed site plan, as well as all new and existing buildings and public interior spaces shall be reviewed so as to provide an efficient arrangement of land uses. Particular attention shall be given to safety, crime prevention and fire protection, relationship to the surrounding neighborhood, impact on preserving historic character of the neighborhood and district, contiguous and adjacent buildings and lands, pedestrian sight lines and view corridors.
- f. Pedestrian and vehicular traffic movement within and adjacent to the site shall be reviewed to ensure that clearly defined, segregated pedestrian access to the site and all buildings is provided for and that any driveways and parking spaces are usable, safely and conveniently arranged and have a minimal impact on pedestrian circulation throughout the site. Access to the site from adjacent roads shall be designed so as to interfere as little as possible with vehicular traffic flow on these roads and pedestrian movement onto and within the site, as well as permit both pedestrians and vehicles a safe ingress and egress to the site.
- g. Lighting shall be reviewed to ensure safe movement of persons and vehicles and reflection on public property for security purposes and to minimize glare and

reflection on adjacent properties and consistent with a city master plan, where applicable.

- h. Landscape and paving materials shall be reviewed to ensure an adequate relationship with and enhancement of the overall site plan design.
- i. Buffering materials shall be reviewed to ensure that headlights of vehicles, noise, and light from structures are adequately shielded from public view, adjacent properties and pedestrian areas.
- j. Any proposed new structure shall have an orientation and massing which is sensitive to and compatible with the building site and surrounding area and which creates or maintains important view corridor(s).
- k. All buildings shall have, to the greatest extent possible, space in that part of the ground floor fronting a sidewalk, street or streets which is to be occupied for residential or commercial uses; likewise, the upper floors of the pedestal portion of the proposed building fronting a sidewalk street, or streets shall have residential or commercial spaces, or shall have the appearance of being a residential or commercial space or shall have an architectural treatment which shall buffer the appearance of a parking structure from the surrounding area and is integrated with the overall appearance of the project.
- l. All buildings shall have an appropriate and fully integrated rooftop architectural treatment which substantially screens all mechanical equipment, stairs and elevator towers.
- ~~m. Any addition on a building site shall be designed, sited and massed in a manner which is sensitive to and compatible with the existing improvement(s).~~
- n. m. All portions of a project fronting a street or sidewalk shall incorporate an amount of transparency at the first level necessary to achieve pedestrian compatibility.
- o. n. The location, design, screening and buffering of all required service bays, delivery bays, trash and refuse receptacles, as well as trash rooms shall be arranged so as to have a minimal impact on adjacent properties.
- ~~p. In addition to the foregoing criteria, the requirements of chapter 104, of the General Ordinances, shall apply to the historic preservation board's review of any proposal to place, construct, modify or maintain a wireless communications facility or other over the air radio transmission or radio reception facility in the public rights-of-way.~~
- ~~q. The structure and site comply with the sea level rise and resiliency review criteria in chapter 7, article I, as applicable.~~

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vi. Certificate of appropriateness for demolition.

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4. Evaluation criteria. The historic preservation board shall consider the following criteria in evaluating applications for a certificate of appropriateness for demolition of historic buildings, historic structures, historic improvements or historic sites, historic landscape features and all public interior spaces, structures and buildings located in a historic district or architecturally significant feature of a public area of the interior of a historic or contributing building.

~~a. The building, structure, improvement, or site is designated on either a national or state level, as part of a historic preservation district or as a historic architectural landmark or site, or is designated pursuant to section 2.13.9 as a historic building, historic structure or historic site, historic improvement, historic landscape feature, historic interior or the structure is of such historic/architectural interest or quality that it would reasonably meet national, state or local criteria for such designation.~~

ba. The building, structure, improvement, or site is of such design, craftsmanship, or material that it could be reproduced only with great difficulty or expense.

eb. The building, structure, improvement, or site is one of the last remaining examples of its kind in the neighborhood, the county, or the region, or is a distinctive example of an architectural or design style which contributes to the character of the district.

~~d. The building, structure, improvement, or site is a contributing building, structure, improvement, site or landscape feature rather than a noncontributing building, structure, improvement, site or landscape feature in a historic district as defined in chapter 1 of these land development regulations or is an architecturally significant feature of a public area of the interior of a historic or contributing building.~~

ec. Retention of the building, structure, improvement, landscape feature or site promotes the general welfare of the city by providing an opportunity for study of local history, architecture, and design, or by developing an understanding of the importance and value of a particular culture and heritage.

~~f. If the proposed demolition is for the purpose of constructing a parking garage, the board shall consider it if the parking garage is designed in a manner that is consistent with the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, U.S. Department of the Interior (1983), as amended, or the design review guidelines for that particular district. If the district in which the property is located lists retail uses as an allowable use, then the ground floor shall contain such uses. At-grade parking lots shall not be considered under this regulation. Parking lots or garages as main permitted uses shall not be permitted on lots which have a lot line on Ocean Drive or Espanola Way.~~

gd. In the event an applicant or property owner proposes the total demolition of a contributing structure, historic structure or architecturally significant feature, there

shall be definite plans presented to the board for the reuse of the property if the proposed demolition is approved and carried out.

he. The county unsafe structures board has ordered the demolition of a structure without option.

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2.13.8 Special Review Procedure

For minor exterior structural repairs, alterations and improvements, associated with single-family homes located within designated historic districts, that are visible from a public way, or work that affects the exterior of the building associated with rehabilitations and additions to existing buildings, the planning director, or designee, shall have the authority to approve, approve with conditions or deny an application on behalf of the board. The director's decision shall be based upon the criteria listed in this article. Any appeal of the decision of the planning director shall be filed pursuant to the requirements of article IX of these land development regulations.

For additions associated with single-family homes located within designated historic districts the planning director, or designee, shall have the authority to approve, approve with conditions or deny an application on behalf of the board. Eligible properties shall be subject to the following conditions:

1. The existing home shall be renovated and restored in accordance with the Secretary of the Interior Standards for Rehabilitation, as well as the certificate of appropriateness criteria in chapter 2, article XIII of these Land Development Regulations.
2. The addition is not substantially visible from a right-of-way or waterway.
3. The addition shall not require any waivers or variances.
4. The applicant shall provide a mail notice describing the project to all immediately adjacent property owners at least 15 days prior to the issuance of a building permit.

The director's decision shall be based upon the criteria listed in this article. Any appeal of the decision of the planning director shall be filed pursuant to the requirements of article IX of these land development regulations.

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2.13.9. Historic Designation

a. Historic designation procedure

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- xi. Amendment or rescission. The City Commission or Historic Preservation Board, as applicable, may amend or rescind any designation provided it complies with the same manners and procedures used in the original designation.

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2.13.10 ~~Single-Family~~ Historic Preservation Ad Valorem Tax Exemption

a. Scope of tax exemptions.

A procedure is hereby created for the city commission to allow tax exemptions for the restoration, renovation or rehabilitation of ~~single-family~~ properties designated pursuant to Section 2.13.9 of this article ~~individually or as part of an historic district~~. The exemption shall

apply to 100 percent of the assessed value of all improvements to the qualifying building property, which result from restoration, renovation or rehabilitation made on or after the effective date of this section. The exemption applies only to taxes levied by the city. The exemption does not apply to taxes levied for the payment of bonds or to taxes authorized by a vote of the electors pursuant to the City Code or the Florida Constitution. The exemption does not apply to personal property or to properties located within a community redevelopment area.

b. Duration of tax exemptions.

Any exemption granted under this section to a particular property shall remain in effect for ten years. The duration of ten years shall continue regardless of any change in the authority of the city to grant such exemptions or any changes in ownership of the property. In order to retain an exemption, however, the historic and architectural character of the property, its designation status, and improvements which qualified the property for an exemption, must be maintained over the period for which the exemption is granted.

c. Eligible properties and improvements.

i. A property is qualified for an exemption under this division if:

1. At the time the exemption is considered by the historic preservation board, the property is:

- a. Individually listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended;
- b. A contributing property within a National Register Historic District or locally designated historic district; or
- c. Locally designated as an individual historic structure or an historic site.

2. The historic preservation board has certified to the city commission that the property for which an exemption is requested satisfies subsection (c)(i)(1).

ii. In order for an improvement to an historic property to qualify for an exemption, the improvement must be determined by the historic preservation board to be:

1. Consistent with the United States Secretary of the Interior's standards for rehabilitation; and
2. Consistent with the certificate of appropriateness criteria in section 118-564 of the City Code.

d. Application requirements.

A preapplication meeting with the planning director, or designee, shall be required before a project is initiated in order to determine whether the proposed project satisfies the minimum criteria for ad valorem tax exemption.

e. Applications.

Any person, firm or corporation that desires ad valorem tax exemption from the improvement of an eligible ~~single-family~~ property must, prior to any construction or demolition, file with the planning department a written application on a form approved by the department. The application shall include the following documents and information:

- i. The name of the property owner and the location of the ~~single-family~~ property.
- ii. A description of the improvements to real property for which an exemption is requested and the date of commencement of construction of such improvements.
- iii. Proof that the property to be rehabilitated or renovated is an eligible historic property under this ~~division~~ article.
- iv. Drawings and other pertinent exhibits that clearly delineate the scope of work to be performed; the proposed improvements to the property shall be consistent with the Secretary of the Interior's standards for rehabilitation and the certificate of

- appropriateness criteria in section 2.13.7 of these land development regulations.
- v. Other information identified in the filing instructions provided by the planning department.

SECTION 2. Chapter 7, entitled “Zoning Districts and Regulations”, Article II, entitled “District Regulations”, Section 7.2.2, entitled “RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts,” is hereby amended as follows:

CHAPTER 7 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE II - DISTRICT REGULATIONS

* * *

7.2.2 RS-1, RS-2, RS-3, RS-4 Single-Family Residential Districts

* * *

7.2.2.4 Additional Regulations (RS)

- a. Provisions to incentivize the retention of single-family homes ~~located outside of historic districts.~~

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- b. Criteria for the determining an architecturally significant home. Pursuant to the request of a property owner of a home constructed prior to 1966, the planning director, or designee, may make a determination whether the home is architecturally significant according to the following criteria:

* * *

4. Regulations for additions to architecturally significant homes that are substantially retained and preserved. In addition to the development regulations and area requirements of section 7.2.2.3, of the land development regulations of the City Code, the following shall apply in the event an architecturally significant single-family home constructed prior to 1966 is substantially retained and preserved. In the event of a conflict between the provisions of section 7.2.2.3 and section 2.5.3.2, and the regulations below, the provisions herein shall control.

* * *

- C. *Applicability.* The above regulations shall also be applicable to:

- I. Any single-family home designated as an historic structure by the historic preservation board, ~~and not located within a locally designated historic district.~~

- II. Any single-family home classified as contributing within a local historic district. However, contributing single-family homes shall not be eligible for the unit size incentive.

SECTION 3. Chapter 7, entitled “Zoning Districts and Regulations,” Article V, entitled “Supplementary District Regulations,” Section 7.5.1, entitled “Generally (Supplementary District Regulations),” is hereby amended as follows:

CHAPTER 7 - ZONING DISTRICTS AND REGULATIONS

* * *

ARTICLE V – SUPPLEMENTARY DISTRICT REGULATIONS

* * *

SECTION 7.5.1 Generally (Supplementary District Regulations)

* * *

7.5.1.5 Roof replacements and new roofs

* * *

- b. In addition to the regulations in subsection a, above, the following regulations shall apply to new roof construction, including additions to existing structures:

* * *

3. Structures located within a locally designated historic district or site shall additionally comply with the following regulations:

- A. The use of glass or sustainable roofing systems ~~shall require the review and approval of the historic preservation board, pursuant to chapter 2, article XIII of these land development regulations~~ may be approved by the planning director if it is determined that the proposed roof satisfies the certificate of appropriateness criteria outlined in Section 2.13.7 of these land development regulations, and that such roofing system will not negatively impact the established architectural context of the immediate area.
- B. If new construction is eligible for administrative review pursuant to chapter 2, article XIII of the land development regulations, the planning director may approve a metal, glass, or sustainable roofing system if the planning director determines that the scale, massing, and design of the proposed new structure can accommodate a metal, glass, or sustainable roofing system, and that such roofing system will not negatively impact the established architectural context of the immediate area.

* * *

- c. In addition to the regulations in subsection a, above, the following regulations shall apply to the repair or replacement of an existing roof:

1. The repair or replacement of an existing roof for a property located outside of a locally designated historic district or site may consist of sustainable roofing systems, flat tiles, barrel tiles, glass roofs, or flat or nonpitched roofs, subject to the review and approval of the planning department.
2. In addition to the requirements in subsection c.1., and as applicable to architecturally significant single family homes constructed prior to 1966 and individually designated historic single-family residences that are not located within a local historic district, the planning director may approve a metal, glass, or sustainable roofing system if the planning director determines that the scale, massing, and design of the subject home

can accommodate a metal, glass, or sustainable roofing system, and that such roofing system will not negatively impact the established architectural context of the immediate area.

3. Notwithstanding the above, for those structures constructed and substantially maintained in the Mediterranean revival or mission style of architecture, the use of roof material other than concrete, clay, or ceramic tile shall be subject to the review and approval of the design review board or historic preservation board, as applicable. For purposes of this subsection, Mediterranean revival or mission architecture shall be defined as those structures built between 1915 through 1966 and characterized by, but not limited to, stucco walls, low pitch terra cotta or historic Cuban tile roofs, arches, scrolled or tile capped parapet walls and articulated door surrounds, or Spanish baroque decorative motifs and classical elements.
4. For repair or replacement of existing roofs within any locally designated historic district, site or structure, the following regulations shall apply:
 - A. The repair or replacement of existing roofs shall comply with the criteria set forth in chapter 2, article XIII of these Land Development Regulations.
 - B. For contributing buildings or historic sites, the use of glass or sustainable roofing systems ~~shall require the review and approval of the historic preservation board~~ may be approved by the planning director if it is determined that the proposed roof satisfies the certificate of appropriateness criteria outlined in Section 2.13.7 of these land development regulations, and that such roofing system will not negatively impact the established architectural context of the immediate area.
 - C. For non-contributing buildings, the planning director may approve a metal, glass, or sustainable roofing system if the planning director determines that the scale, massing, and design of the proposed new structure can accommodate a metal, glass, or sustainable roofing system, and that such roofing system will not negatively impact the established architectural context of the immediate area.

SECTION 4. REPEALER.

All ordinances or parts of ordinances and all section and parts of sections in conflict herewith be and the same are hereby repealed.

SECTION 5. CODIFICATION.

It is the intention of the City Commission, and it is hereby ordained that the provisions of this ordinance shall become and be made part of the Code of the City of Miami Beach as amended; that the sections of this ordinance may be renumbered or relettered to accomplish such intention; and that the word "ordinance" may be changed to "section" or other appropriate word.

SECTION 6. SEVERABILITY.

If any section, subsection, clause or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 7. EFFECTIVE DATE.

This Ordinance shall take effect ten days following adoption.

PASSED AND ADOPTED this ____ day of _____, 2025

Steven Meiner, Mayor

ATTEST:

Rafael E. Granado, City Clerk.

APPROVED AS TO FORM AND
LANGUAGE AND FOR EXECUTION

City Attorney

Date

First Reading: June 25, 2025

Second Reading: July 23, 2025

Verified by: _____
Thomas R. Mooney, AICP
Planning Director

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